

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2014-153439-001 SE

04/13/2015

HONORABLE HUGH HEGYI

CLERK OF THE COURT
E. Rosel
Deputy

STATE OF ARIZONA

KRYSTLE MARIE FERNANDEZ

v.

JEROME EDWARD GILBERTSON (001)
DOB: 3/7/1974

HARLA M DAVISON

APO-SENTENCINGS-SE
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

10:40 a.m.

Courtroom CCB 1104

State's Attorney:	Chris Sammons for Krystle Fernandez
Defendant's Attorney:	Harla Davison
Defendant:	Present
Court Reporter:	Tara Kramer

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 Possession or Use of Narcotic Drugs
Class 4 Felony

A.R.S. § 13-3401, -3408, -3408(A)(1), -3416, -3418, -901.01(H), -901.01(I), -805; 12-269, -116.04, -116.08, -116.09; 13-610, -701, -702 and -801

Date of Offense: 11/8/2014

Non Dangerous - Non Repetitive

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The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 1 Probation Term: 3 years

To begin 4/13/2015.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning (tbd).

FINE: Count 1 - Total amount of \$3,660.00, which includes surcharges of 83%, payable \$(tbd) per month beginning (tbd).

Fine is to be paid to the Drug and Gang Enforcement Account pursuant to A.R.S. § 13-811(C).

PROBATION ASSESSMENT: Count 1 - \$20.00 payable on (tbd).

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on (tbd).

WARRANT CHARGE: Count 1 - \$45.00, payable on (tbd).

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 1 - \$13.00 payable on (tbd).
Investigative Agency: Mesa Police Department

Count 1: \$15.00 to the Technical Registration Fund payable on (tbd).

All amounts payable through the Clerk of the Superior Court.

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Additional Monetary Information: Payment towards fines and fees shall begin the first day of the second month after release from jail.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 17 - Count 1: Complete a total of 360 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

Condition 18 - Count 1: Be incarcerated in the county jail for 6 month(s), beginning 4/13/2015 with credit for 114 day(s) served.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

Defendant shall be screened for Work Furlough.

Condition 21 - Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Drug Court

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Count 2. Allegation of prior felony conviction.

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Count(s) 1: IT IS ORDERED remanding Defendant to the custody of the Maricopa County Sheriff.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

10:55 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE HUGH HEGYI
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)